

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:

ROBERT GROSSMAN

Serial No. 10/782,154

Filed: February 18, 2004

For: BOATER'S KEYCHAIN

Examiner: Jesus D. Sotelo

Group Art Unit 3617

Docket No. GRORB-66408

Los Angeles, California 90045

DECLARATION OF DAVID G. PARKHURST UNDER 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, DAVID G. PARKHURST, hereby declare and state as follows:

1. I am a partner in the law firm of Fulwider Patton LLP, located at Howard Hughes Center, Tenth Floor, 6060 Center Drive, Los Angeles, California 90045.

2. Attached is a copy of a purchase order number 120161 dated June 30, 2005, from the Montana Fish, Wildlife & Parks, for 500 units of the "Key-O-Prene Boater's Key Floats" from the Applicant, Robert Grossman, which I received from the Applicant, Robert Grossman, to demonstrate the product's value and demand in the marketplace.


3. Attached is a copy of a purchase order dated May 23, 2005, from the Iowa Department of Natural Resources, Des, Iowa, for 500 units of the " Key-O-Prene Boater's

Key Floats" from the Applicant, Robert Grossman, which I received from the Applicant, Robert Grossman, to demonstrate the product's value and demand in the marketplace.

4. Attached are copies of web pages from advertising Applicant's product, advertised under the name "Key-O-Prene Boater's Key-Chains," showing photographs of the product corresponding to the claimed invention, and describing the features of the product.

5. The enclosed copies are believed to adequately demonstrate that the claimed boater's keychain has attracted commercial interest from state agencies, and has enjoyed commercial success.

Date: October 5, 2006


David G. Parkhurst
Reg. No. 29,422

Enclosures:

- 1) Copy of a purchase order from Montana Fish, Wildlife & Parks
- 2) Copy of a purchase order from Iowa Department of Natural Resources
- 3) Copies of web pages advertising "Key-O-Prene Boater's Key-Chains"

#1711



Montana Fish & Wildlife

AGENCY PURCHASE ORDER

P.O. Number 120161

The Contract/Purchase Order Number MUST appear on invoices and related correspondence.

Supplier/ Vendor
US Boating - net
Attn: Robert Grossman
PO Box 6238
Auburn CA 95604

BILL TO:
Montana Fish, Wildlife & Parks
Attn: Liz
PO Box 200701
Helena MT 59620

Agency Contact Person
Name Liz Ledman
Telephone # 406-444-2615

Special Sec./Fed. Tax ID Number

Invoice Number

Quantity No.	Unit	Description	Org. # (Project #)	Expenditure Account	Unit Cost	Total
500		Key-O-Prane Key floats generic version	8893		\$1.99	\$995.00
Shipping ?						
F.O.B. Address: (If different from "Bill To" address)			FWP Attn: Liz 1420 6th Ave Helena MT 59620		TOTAL 995.00	

VENDOR INSTRUCTIONS

1. Invoices must include description and serial numbers of all equipment.
2. Forward invoice and copy of Purchase Order to Agency Contact person at "Bill To" address.
3. Substitute items not acceptable.
4. Items not received within _____ days from date of Purchase Order may be cancelled.

Authorized Signature

Date

6/30/05

THE TERMS & CONDITIONS ARE A BINDING PART OF THIS PURCHASE ORDER CONTRACT. VENDOR, BY THE ACCEPTANCE OF THIS ORDER AGREES THERETO.

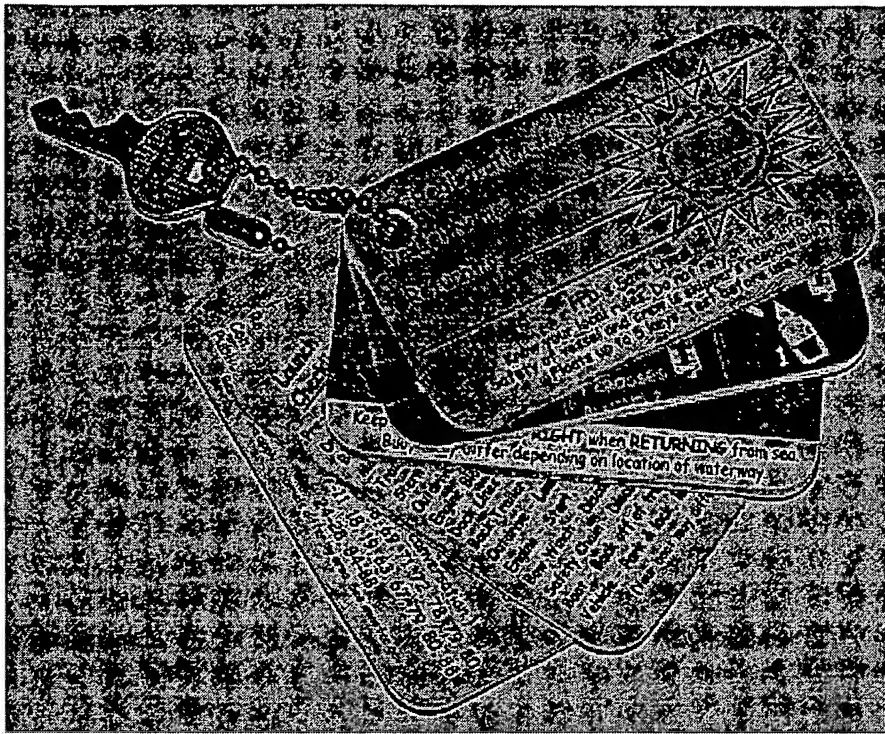
Ship to Code: <u>600</u>	Vendor Code: _____
Delivery Instructions: _____	Name & Address _____
Jones Dept of Natural Resources Wildlife State Office Building 502 E 9th Street Des Moines, IA 50319-0034	U.S. Beating Net P.O. Box 6238 Auburn, CA 95604
PHONE 515-281-7828	PHONE 530-885-6240 FAX _____

[illegible]

RECEIVED:	
DATE	SIGNATURE
AGENCY CONTACT PERSON:	
AGENCY AUTHORIZATION (SIGNATURE & TITLE):	
SIGNATURE & DATE (IF APPLICABLE)	
DISTRICT SUPV.	
BUREAU CHIEF	
DIVISION ADMIN.	
DIRECTOR	

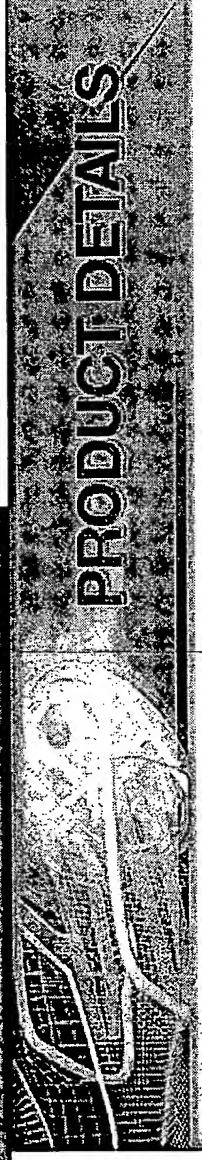
DATE: _____ INVOICE # _____

ORIZATION FOR AGENCY PURCHASE UNDER \$5000 OR ON DAS COMMODITY CONTRACT (AO) OR TO REQUEST PRODUCT (RSQ)
Distribution: Copies 1(white)&2(yellow) -DNR Central Office along with all invoices, packing slips, quotes, and any other information deemed important for payment.
for requires copy of document, fax or mail it. Copy 3(pink) you keep. Copy 4(Goldenrod) to supervisor as need





1-805-354-4824



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0 Items: \$0.00

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Key-O-Prene Boater's Key-Chains

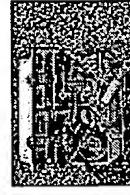
Finally, a boater's key-float that actually does something!

Price: \$4.99

[Click to Enlarge](#)

Quantity Discount:

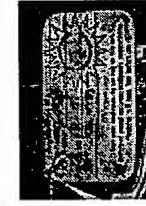
Qty 1 - 5



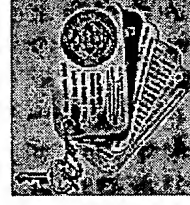
Willbur Metal
Tackle Box



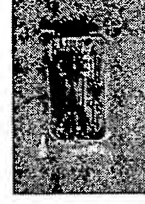
Key-O-Prene
Boater's Key-
Chains



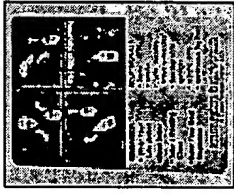
Boater's Wallet Card



[Click to Enlarge](#)



[Click to Enlarge](#)



Finally, a boater's key-float that actually does something!

If you have a boat, this is positively the best few bucks you can spend. It will float up to five keys, but more importantly, just an occasional glance at its text and graphics allows you to handle your boat like a professional skipper.

You'll wish every other boater carried one of these, too.

It is concise, practical, and easy to understand. Full color graphics tell you at a glance what to do in most boating situations.

The Key-O-Prene™ key-float consists of five layers of neoprene rubber which fan out to display:

- Navigation Rules and Rights of Way
- Buoys
- Launching and Haul-Out Checklists
- Conversion Tables & Boating Formulas
- Marine Radio Channels
- CPR

Features:

- Designed by a licensed USCG vessel captain.
- Approved and used by state boating agencies.
- Made of high quality neoprene rubber.
- Eye-catching, heat transferred text and graphics.
- Conveniently sized to fit in a shirt pocket.
- Patent pending design.

Brand New, individually poly-bagged, direct from manufacturer.
Dimensions: 3.5" width x 2" height x 5/8" thick. Weight approx. 30 grams.

Quantity discount available. Key-chain can be custom imprinted with your logo or cover art. Minimum order applies.



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